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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.)
FEDERICO HERRERA-PRECIADO,)
Defendant.)
CASE NO. 2:16-mj-00797-CWH

**DEFENDANT'S MOTION TO MODIFY ORDERS
REGARDING REPORTING TO CHARGING DISTRICT**

Defendant, Federico Herrera-Preciado (“Defendant” or “Mr. Herrera-Preciado”) by and through his counsel, RUSSELL E. MARSH, ESQUIRE, Wright Stanish & Winckler, hereby moves to modify this Court’s Order Setting Conditions of Release (ECF No. 8, p. 2) and Order Requiring Defendant to Appeal in the District Where Charges are Pending and Transferring Bail (ECF No. 7), and allow the Defendant to report to and appear in the Western District of Missouri, Southern District, in Springfield, Missouri, on December 28, 2016, at 10:00 am.

In further support of this motion, Defendant states as follow:

1. On December 6, 2016, Mr. Herrera-Preciado was arrested in the District of Nevada on a federal warrant issued out of the Western District of Missouri. Defendant appeared on that date before Magistrate Judge Hoffman. At that hearing, undersigned CJA counsel was appointed for Mr. Herrera- Preciado, and Defendant waived his right to an Identity Hearing. At Defendant's request,

1 the Detention Hearing was continued to Monday, December 12, 2016, and Mr. Herrera-Preciado was
2 ordered temporarily detained pending that hearing. Minutes of December 6, 2016 Hearing (ECF No.
3 1).

4 2. On December 12, 2016, the Detention Hearing was held. Defendant was released on
5 a personal recognizance bond with conditions, including electronic monitoring. Defendant was also
6 ordered to satisfy all outstanding warrants within 30 days. Defendant was informed that he was
7 scheduled to appear before a U.S. Magistrate Judge in Springfield, Missouri, on December 15, 2016.
8 ECF Nos. 6, 7 and 8.

9 3. Following his release from federal custody on December 12, 2016, Defendant was
10 taken into custody on a warrant out of Henderson, Nevada. He was released from Henderson
11 custody on December 14, 2016, and was booked into the Clark County Detention Center (CCDC).

12 4. Mr. Herrera-Preciado appeared in Las Vegas Justice Court on the afternoon of
13 December 15, 2016. Following his release from CCDC on County charges, Defendant was booked
14 into the Las Vegas City Jail. Defendant posted bail on the City charges on Sunday, December 19,
15 2016, and was finally released from local custody on that date, almost a week after his release from
16 federal pretrial detention.

17 5. Mr. Herrera-Preciado immediately contacted U.S. Pretrial Services following his
18 release from jail. As instructed, Mr. Herrera-Preciado reported to U.S. Pretrial Services on the
19 morning of December 19, 2016, and was placed on home detention and electronic monitoring.

20 6. On December 19, 2016, undersigned counsel spoke with Emily McKillip at U.S.
21 Pretrial Services in Las Vegas, who agreed that Mr. Herrera-Preciado would be allowed to travel to
22 Missouri for his court appearance. On December 20, 2016, counsel was informed by U.S. Pretrial
23 Service Officer Kamuele Kauenuiin Las Vegas that Mr. Herrera-Preciado's court hearing had been
24 set for December 28, 2016, before U.S. Magistrate Judge Rush at the federal courthouse in
25 Springfield, Missouri.

26 7. Counsel also spoke on that date with U.S. Probation Officer Joel Woodward, who
27 supervises defendants on pretrial release in Springfield, Missouri. Mr. Woodward confirmed that
28 ///

1 Mr. Herrera-Preciado was scheduled to appear before U.S. Magistrate Judge Rush on December 28,
2 2016, at 10:00 a.m.

3 WHEREFORE, Defendant Federico Herrera-Preciado, requests that this Court's Orders be
4 modified to provide that Defendant appear before U.S. Magistrate Judge Rush in Springfield,
5 Missouri, on December 28, 2016 at 10:00 a.m..

6 Respectfully submitted this 20th day of December, 2016.

7 WRIGHT STANISH & WINCKLER
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9 By /s/ Russell E. Marsh
10 RUSSELL E. MARSH, ESQUIRE
Attorney for Defendant

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15 IT IS SO ORDERED.
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17 DATED: 12/20/16
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21 C.W. HOFFMAN, JR.
22 UNITED STATES MAGISTRATE JUDGE
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